

## 4.1 Background

The 2002 Final EIR evaluated three alternatives for the interchange project: (1) No Project/No Action Alternative, (2) “Modified-Trumpet” Style Alternative (aka, Flyover Alternative), and (3) Type L1 Compact Diamond interchange. Common features between the “build alternatives” (Alternatives 2 and 3), besides general location, include an eastbound auxiliary lane, and a grade separation of Artesia Road. Both of the build alternatives included one travel lane in each direction. Neither connected to areas south of Highway 50. Following completion of the environmental process, Caltrans found the Modified-Trumpet Style (Flyover) Alternative to be environmentally superior and selected that alternative. That alternative was labeled “AB” in the 2002 Final EIR, and comparative references to AB or Alternative B in this Supplemental EIR are to that “Flyover Alternative”.

The 2002 Final EIR also initially considered several other alternatives for the interchange, which it eliminated from further consideration. These alternatives included: (1) diamond interchange with additional right of way south of Highway 50, (2) compact diamond interchange alternative with under crossing of Highway 50, (3) frontage road alternative, and (4) alternative location for the interchange. Chapter 4 of the 2002 Final EIR presents detailed information regarding all of these alternatives.

Because Caltrans does not have jurisdiction over on-Rancheria activities, the 2002 Final EIR did not consider on-Rancheria alternatives such as a different casino or hotel or no hotel. Also, the 2002 Final EIR explains that the proposed hotel and casino was a separate project that was designed consistent with existing Rancheria land use designations and evaluated under a separate document by the National Indian Gaming Commission (the NIGC EA). The 2002 Final EIR addressed the hotel and casino impacts outside the Rancheria as indirect effects from the interchange project, and not a component of the interchange project description. Nevertheless, the Decision directed Caltrans to analyze a reduced hotel and casino alternative. In response to the Decision, this Supplemental EIR analyzes two new alternatives: (1) the Reduced Casino/Reduced Hotel Alternative (Alternative D), and (2) the Reduced Casino/No Hotel Alternative (Alternative E). The “Alternative D” and “Alternative E” references to these alternatives are given to assure continuity with the sequence provided in the 2002 Final EIR, which evaluated Alternatives A through C.

Neither Alternatives D or E, nor any other on-Rancheria alternative aside from a “No Build” alternative, would affect the interchange design or the conclusion regarding the

environmentally superior interchange alternative because the proposed interchange is already one lane in each direction, therefore it cannot be any smaller. In terms of interchange configuration, as stated above, the 2002 Final EIR found that for a two lane interchange (one lane in each direction), the Flyover alternative is environmentally superior. The 2002 Final EIR also concluded, based on substantial record evidence, that an interchange is required to provide commercial access to the Rancheria for any type of economic development activity, and therefore that a non-interchange or surface road alternative is infeasible. Accordingly, interchange alternatives are not re-considered here and the environmentally superior “Flyover” interchange design (Alternative B in the 2002 Final EIR) is assumed for both of the hotel/casino alternatives.

The 2002 Final EIR focused on the off-reservation impacts of the interchange and hotel/casino projects because Caltrans’ jurisdiction lies only outside the Rancheria. The trial court and the Court of Appeal expressly upheld that aspect of the EIR’s methodology. This Supplemental EIR takes the same approach, but it also includes some comparative analyses of on-reservation impacts. This is to provide context for the analysis of the on-reservation alternatives where the impact category dictates that such context is required, *e.g.*, geology, because the effect in that impact category occurs strictly or largely on the Rancheria. The basis for the comparison of the on-reservation impacts of Alternatives D and E is the 2001 NIGC EA, which fully evaluated the on-Rancheria impacts of the proposed hotel/casino.<sup>1</sup> The mitigation imposed by the NIGC in the 2001 NIGC EA is assumed to be implemented for the purposes of this analysis.

## 4.2 Analysis of Additional Alternatives

The currently approved hotel and casino complex would be located on approximately 44 acres in the southwest corner of the existing Rancheria. The development consists of a 250-room hotel, a 238,500 square foot casino and ancillary uses such as parking, wastewater treatment plant, and detention basin. It also includes food and beverage facilities, banking and administration facilities, gaming commission offices, a child care/family fun room, and retail facilities, along with the main gaming hall. A detailed description of the proposed hotel/casino is set forth in Chapter 2 of the 2001 NIGC EA, which is incorporated by reference into the 2002 Final EIR and this Draft Supplemental EIR.

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<sup>1</sup> The 2001 NIGC EA has been challenged, and the United States District Court for the Eastern District of California has rejected that challenge.

#### 4.2.2 REDUCED HOTEL/REDUCED CASINO ALTERNATIVE – “ALTERNATIVE D”

Alternative D consists of a 120,000 square foot gaming facility (reduced from 238,500 square feet) and a 200-room hotel (reduced from 250 rooms) that would be constructed in the same area as the proposed hotel/casino described and analyzed in the 2001 NIGC EA. This reduced casino complex would include a mix of uses similar to those identified for the proposed hotel/casino project. However, the overall scale of the facility would be reduced, and most of the uses within the facility would be reduced proportionately. **Table 2-1** shows the breakdown of proposed uses with associated square footages for Alternative D and the proposed hotel and casino complex.

In addition to the hotel and casino complex, the development would include parking in a parking structure and surface parking. The multi-level parking structure would be located within the casino structure, while surface parking would be located to the south and southwest the casino. As is the case with the size of the hotel and casino, the amount of parking will also be reduced when compared with the proposed hotel and casino project identified in the 2001 NIGC EA.

**TABLE 4-1. ALTERNATIVE D - HOTEL/CASINO USES AND SIZE**

Proposed Use (square footage)	Alternative D	Proposed Hotel/Casino
1. Gaming Floor Area	42,000	82,800
2. Banking	3,000	6,300
3. Toilets	3,500	6,600
4. Gaming Support	4,000	8,400
5. Retail	2,000	4,000
6. Child Care/Family Fun	7,000	14,000
7. Food and Beverage	22,000	43,300
8. Administration/Support Services	7,500	15,000
9. Employee Rooms	4,500	9,000
10. Office	6,500	13,000
11. Misc. and Circulation	18,000	36,100
12. Hotel	<u>120,000</u> (200 rooms)	<u>142,750</u> (250 rooms)
<b>Total</b>	240,000	381,250

## HEIGHT OF PROPOSED FACILITIES

The height of the facilities under the reduced hotel and casino alternative would be less than for the proposed hotel and casino project evaluated in the 2001 NIGC EA. The proposed development footprint would also be reduced. Under the proposed hotel/casino project, the tallest structure, the casino, is proposed to be 115 feet high from its base elevation.

## DEVELOPMENT STANDARDS

The hotel/casino complex would be constructed in compliance with applicable provisions as described for the Proposed Project in the 2001 NIGC EA, which include the following:

- Uniform Building Code (UBC),
- Uniform Fire Code (UFC), and
- Plumbing, electrical, mechanical, and related codes in effect at the time of construction.

The Tribal Government will also meet standards identical to those established by the following County Ordinances when constructing and operating the proposed facility:

- El Dorado County Outdoor Lighting Ordinance (17.14.170),
- El Dorado County Grading, Erosion and Sediment Control Ordinance, and
- El Dorado County Design and Improvement Standards Manual.

The development would comply with the federal Americans with Disabilities Act, P.L. 101-336, as amended, 42 U.S.C. Section 12101 *et seq.* Lastly, pursuant to the Tribal-State Compact, the development would comply with the following provisions:

- Development will be issued a certificate of occupancy by the Tribal Gaming Agency prior to occupancy;
- Tribal government will adopt and comply with standards no less stringent than state public health standards for food and beverage handling;
- Tribal government will adopt and comply with standards no less stringent than federal water quality and safe drinking water standards applicable in California;
- Tribal government will adopt and comply with standards no less stringent than federal workplace and occupational health and safety standards;
- Tribal government will comply with Tribal codes and other applicable federal law regarding public health and safety; and,

- The Tribe shall make reasonable provisions for adequate emergency, fire, medical, and related relief and disaster services for patrons and employees of the Gaming Facility.

## WASTEWATER TREATMENT REUSE AND DISPOSAL

The wastewater treatment facility planned for Alternative D is the same as described for the Proposed Project in the 2001 NIGC EA. The Tribal Government would use an immersed membrane bioreactor (MBR) system as the wastewater treatment process to provide the highest quality of water for reuse or subsurface disposal. The MBR system was originally proposed in the 2001 NIGC EA to respond to the issues raised by the RWQCB, El Dorado County and other concerned responders. The MBR is an activated sludge process run at a high-suspended solids concentration. The reduced square footage of Alternative D would result in less wastewater generation and disposal than that identified for the Proposed Project in the 2001 NIGC EA. The proposed hotel/casino project evaluated in the 2001 NIGC EA concluded that the proposed wastewater facility would need to accommodate a peak flow of 200,000 gpd. Alternative D is approximately 63 percent as large as the facility evaluated in the 2001 NIGC EA. This reduction in size would reduce the needed size of the wastewater facility to approximately 130,000 gallons to accommodate peak flows.

## WATER DELIVERY

There are two options for water delivery to Alternative D: (1) water provided by the Tribal Utility District, and (2) use of water trucks. These are the same options as for the Proposed Project in the 2001 NIGC EA. Please see description under Proposed Project in the 2001 NIGC EA for further detail concerning water delivery. The reduced square footage under Alternative D, when compared with the Proposed Project, would result in less water demand than the Proposed Project. Alternative D is approximately 63 percent as large as the proposed casino complex evaluated in the 2001 NIGC EA. The reduction in size would also reduce the peak water demand to approximately 62,000 gallons per day (gpd) from the estimated 98,000 gpd, while reducing the average water demand to an estimated 48,000 gpd from the estimated 76,000 gpd.

## INTERCHANGE ACCESS

The interchange access under this alternative would be as described in Section 4.2.1 of Volume I of the 2002 Final EIR. As explained in Section 4.1, that interchange design is the minimum required to serve a casino facility on the Rancheria, and the 2002 Final EIR found, based on substantial record evidence, that it is the environmentally superior interchange alternative.

### 4.2.3 REDUCED CASINO/NO HOTEL ALTERNATIVE – “ALTERNATIVE E”

Under Alternative E, a 120,000 square foot casino would be constructed in the same area as previously described for the Proposed Project; however, the project would be scaled down to accommodate fewer gaming positions. No hotel would be constructed under this alternative. The smaller casino would include a mix of uses similar to those identified for the Proposed Project, including food and beverage facilities, banking and administration facilities, gaming commission offices, retail, and the main gaming hall. However, the square footage and distribution of these facilities would be reduced proportionately with the smaller casino facility. **Table 2-2** shows the breakdown of proposed uses with associated square footages for Alternative E as compared to the Proposed Project in the 2001 NIGC EA.

In addition to the casino complex, the development would also include a parking structure and surface parking. The multi-level parking structure would be smaller than the Proposed Project identified in the 2001 NIGC EA and would be located within the casino structure. Surface parking would be located to the south and southwest of the casino.

**TABLE 4-2. CASINO/HOTEL USES AND SIZE**

<b>Proposed Use (square footage)</b>	<b>Alternative E</b>	<b>Proposed Hotel/Casino</b>
1. Gaming Floor Area	42,000	82,800
2. Banking	3,000	6,300
3. Toilets	3,500	6,600
4. Gaming Support	4,000	8,400
5. Retail	2,000	4,000
6. Child Care/Family Fun	7,000	14,000
7. Food and Beverage	22,000	43,300
8. Administration/Support Services	7,500	15,000
9. Employee Rooms	4,500	9,000
10. Office	6,500	13,000
11. Misc. and Circulation	18,000	36,100
12. Hotel	-0-	142,750
<b>Total</b>	<b>120,000</b>	<b>381,250</b>

## HEIGHT OF PROPOSED FACILITIES

As is the case with Alternative D, the height of the facilities under Alternative E would be less than for the Proposed Project and the footprint would be smaller as well due to the lack of a hotel component. The tallest structure under the Proposed Project is the casino at 115 feet from its base elevation.

## DEVELOPMENT STANDARDS

The Reduced Casino/No Hotel complex would be constructed in compliance with applicable provisions as described for the Proposed Project in the 2001 NIGC EA, which includes the following:

- Uniform Building Code (UBC),
- Uniform Fire Code (UFC), and
- Plumbing, electrical, mechanical, and related codes in effect at the time of construction.

The Tribal Government will also meet standards identical to those established by the following County Ordinances when constructing and operating the proposed facility:

- El Dorado County Outdoor Lighting Ordinance (17.14.170),
- El Dorado County Grading, Erosion and Sediment Control Ordinance, and
- El Dorado County Design and Improvement Standards Manual.

The development would comply with the federal Americans with Disabilities Act, P.L. 101-336, as amended, 42 U.S.C. Section 12101 *et seq.* Lastly, pursuant to the Tribal-State Compact, the development would comply with the following provisions:

- Development will be issued a certificate of occupancy by the Tribal Gaming Agency prior to occupancy;
- Tribal government will adopt and comply with standards no less stringent than state public health standards for food and beverage handling;
- Tribal government will adopt and comply with standards no less stringent than federal water quality and safe drinking water standards applicable in California;
- Tribal government will adopt and comply with standards no less stringent than federal workplace and occupational health and safety standards;

- Tribal government will comply with Tribal codes and other applicable federal law regarding public health and safety; and,
- The Tribe shall make reasonable provisions for adequate emergency, fire, medical, and related relief and disaster services for patrons and employees of the Gaming Facility.

## WASTEWATER TREATMENT REUSE AND DISPOSAL

The wastewater treatment facility planned for Alternative E is the same as described for the Proposed Project in the 2001 NIGC EA. The Tribal Government would use an immersed membrane bioreactor (MBR) system as the wastewater treatment process to provide the highest quality of water for reuse or subsurface disposal. The MBR system was originally proposed in the 2001 NIGC EA to respond to the issues raised by the RWQCB, El Dorado County and other concerned responders. The MBR is an activated sludge process run at a high-suspended solids concentration. The reduced square footage of Alternative E as compared to the Proposed Project would result in less wastewater generation and disposal than that identified for the Proposed Project in the 2001 NIGC EA. The proposed casino project evaluated in the 2001 NIGC EA concluded that the proposed wastewater facility would need to accommodate a peak flow of 200,000 gpd. Alternative E is approximately 31.5 percent as large as the facility evaluated in the 2001 NIGC EA. This reduction would reduce the needed size of the wastewater facility in half to approximately 100,000 gallons to accommodate peak flows.

## WATER DELIVERY

There are two options for water delivery to Alternative E: (1) water provided by the Tribal Utility District, and (2) use of water trucks. These are the same options as for the Proposed Project. Please see description under Proposed Project in the 2001 NIGC EA for further detail concerning water delivery. The reduced square footage under Alternative E, when compared with the Proposed Project, would result in less water demand than the Proposed Project. Alternative E is approximately 31.5 percent as large as the proposed casino complex evaluated in the 2001 NIGC EA. The reduction in size would also reduce the peak water demand to approximately 31,000 gallons per day (gpd) from the estimated 98,000 gpd, while reducing the average water demand to an estimated 24,000 gpd from the estimated 76,000 gpd.

## INTERCHANGE ACCESS

The interchange access under Alternative E would be as described in Section 4.2.1 of Volume I of the 2002 Final EIR. As explained in Section 4.1, that interchange design is the



minimum required to serve a casino facility on the Rancheria, and the 2002 Final EIR found that it is the environmentally superior interchange alternative.

### 4.3 Comparison of Alternatives

The table below presents an impact comparison of Alternatives A-C of the 2002 Final EIR together with new Alternatives D and E.

**TABLE 4-3. IMPACT COMPARISON TABLE**

Section/Impact	AA	AB	AC	AD	AE
<b>5.3/Geology and Soils</b>					
Seismic Groundshaking	NI	LTS	LTS	LTS	LTS
Slope Instability and Landslide Areas	NI	LTS	LTS	LTS	LTS
Soil Erosion	NI	LTS	LTS	LTS	LTS
Excavation of Serpentine	NI	SA	SA	SA	SA
Cumulative	NI	SA	LTS	SA	SA
<b>5.4/Traffic</b>					
Existing Plus Project - Ramp Merge/Diverge Operations	NI	LTS	LTS	LTS	LTS
Existing Plus Project - Peak Hour Freeway Mainline Operations	NI	LTS	LTS	LTS	LTS
Existing Plus Project - Local Roads Analysis	NI	LTS	SA	LTS	LTS
Cumulative Plus Project - Ramp Merge/Diverge Operations	NI	SA	LTS	SA	SA
Cumulative Plus Project - Peak Hour Freeway Mainline Operations	NI	SA	SA	SA	SA
Cumulative Plus Project - Interchange Intersection Operations	NI	LTS	SA	LTS	LTS
Cumulative Plus Project - Ramp Metering	NI	SA	SA	SA	SA
Cumulative Plus Project - Local Roads Analysis	NI	SA	SA	SA	SA
<b>5.5/Air Quality</b>					
Construction Emissions	NI	SA	SA	SA	SA
Asbestos Emissions	NI	SA	SA	SA	SA
General Conformity with the State Implementation Plan	NI	LTS	LTS	LTS	LTS
Transportation Conformity with the State Implementation Plan	NI	LTS	LTS	LTS	LTS
Carbon Monoxide Emissions	NI	LTS	LTS	LTS	LTS
Cumulative Carbon Monoxide Impacts	NI	LTS	LTS	LTS	LTS
Project Specific Air Quality	NI	LTS	LTS	LTS	LTS
<b>5.6/Noise</b>					
Traffic Noise Impact (Existing and Cumulative)	NI	LTS	LTS	LTS	LTS
Construction Equipment Noise	NI	SA	SA	SA	SA
<b>5.7/Biological Resources</b>					
Impacts to Upland Vegetation	NI	SA	SA	SA	SA
Impacts to Non-Special Status Species	NI	LTS	LTS	LTS	LTS
Impacts to Special Status Species	NI	SA	LTS	SA	SA

NI = No Impact, SA = Significant Avoidable, LTS = Less than Significant